

DP-302738

**REMARKS**

Claims 1-20 are pending in the present Application. Claims 3 and 7 have been canceled, Claims 1, 2, 8-15, and 17-20 have been amended, and Claims 21-22 have been added, leaving Claims 1, 2, 4-6, and 8-22 for consideration upon entry of the present Amendment.

Support for the amendment to Claims 1, 10, 13-15, 17, and 18 can at least be found in the specification at page 7, lines 12-28.

Support for the amendment to Claim 2 can at least be found in Claim 3.

Claims 8 and 9 have been amended to correct the dependency of the claims. Additionally, it is noted that Claims 8, as well as Claims 11, 12, and 19 have been amended to provide consistency in claiming.

Support for new Claims 21 and 22 can at least be found in the specification at page 6, lines 16-28, and in Figure 4 and Figure 16, respectively.

The Specification has been amended to correct certain minor errors, as explained in detail below. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

**Drawings**

The drawings stand objected to as allegedly failing to comply with 37 CFR 1.84(p)(4) because reference character "24" has been used to designate both outlet 24 (page 6, line 17) and end plate 24 (page 15, line 14).

Applicants have amended the specification on page 15, line 14 to remove the reference numeral 24 in relation to end plate 24. As such, reference numeral 24 is shown in the figures and described in the specification in relation to only the outlet 24.

Further, Applicants have reviewed the drawings as requested by the Examiner and could find no other errors. Accordingly, Applicants respectfully request withdrawal of the objection to the drawings.

DP-302738

Specification

Applicants have corrected the informalities noted by the Examiner. More particularly, a space was inserted between the words "element" and "can" on page 6, line 2, and "D<sup>1</sup>" and "d<sup>1</sup>" have been amended to "D" and "d" on page 8, lines 1-2 to be consistent with the figures. Further, it is noted that Applicants did not find any other minor errors in reviewing the specification. Accordingly, Applicants respectfully request withdrawal of the objection to the specification.

Claim Objections

Applicants have corrected the informality noted by the Examiner. More particularly, in Claims 8, 14, and 18, Applicants inserted a comma after "rib". Accordingly, Applicants respectfully request withdrawal of the objection to the claims.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claim 13 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner alleged that in Claim 13, line 3 that it is unclear as to what structural limitation Applicants are attempting to recite.

Applicants have amended Claim 13 to more clearly define Applicants' claimed invention. More particularly, Applicants amended Claim 13 to further claim a mat protection element comprising "a second protrusion extending outwardly from said mat protection element contacting said shell". Accordingly, Applicants respectfully request that the Examiner withdraw this rejection.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 10-11, 13-15, and 17-19 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 3,937,617 to Yaguchi. Applicants respectfully traverse this rejection.

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Variant Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987).

DP-302738

Yaguchi fails to teach, *inter alia*, an exhaust system component, which can include a catalytic converter, wherein the exhaust system component comprises an endcone assembly comprising a conical shaped sidewall extending outwardly from an inlet end of the endcone assembly to a shoulder of the endcone assembly at an outlet end of the endcone assembly, wherein the endcone assembly is attached to the shell at the shoulder, and a mat protection element extending from the shoulder, away from the sidewall, wherein the mat protection element comprises a protrusion extending outwardly from the mat protection element contacting the shell. Rather, Yaguchi is directed to a catalytic converter comprising a frusto-conical member (12, 14) secured to a casing (18) of the catalytic converter, wherein the frusto-conical member (12, 14) comprises an inwardly protruding member or annular flanges (22, 24) that are formed by bending inwardly the inner terminal end portions of the frusto-conical members (12, 14). (Col. 2, lines 27-46). In other words, Yaguchi at least fails to teach a mat protection element comprising a protrusion extending outwardly from the mat protection element contacting the shell. Since Yaguchi at least fails to teach a protrusion extending outwardly from the mat protection element and contacting the shell, Yaguchi fails to teach each and every element of Applicants independent Claims 1, 10, and 15. Accordingly, Applicants' independent Claims 1, 10, and 15 are not anticipated by, and are allowable over Yaguchi. Moreover, as dependent claims from an allowable independent claim, Claims 2-3, 11, 13-14, and 17-19 are, by definition, also allowable.

Claims 1-20 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 4,155,980 to Santiago et al. Applicants respectfully traverse this rejection.

Santiago et al., similar to Yaguchi as discussed above, fail to teach, *inter alia*, an endcone assembly comprising a mat protection element comprising a protrusion extending outwardly from the mat protection element contacting the shell. Rather, Santiago et al. teach a catalytic converter comprising an envelop material (endcone) in contact with a sealing ring (5) comprising "a radially inward cross-section annular reduction or fold 9, which has an inner diameter than the outside diameter of the catalyst body." (Col. 3, lines 22-30; and Figure 3). In other words, Santiago et al. at least fail to teach a mat protection element comprising a protrusion extending outwardly from the mat protection element contacting the

DP-302738

shell. Since Santiago et al. at least fail to teach a protrusion extending outwardly from the mat protection element and contacting the shell, Santiago et al. fail to teach each and every element of Applicants independent Claims 1, 10, and 15. Accordingly, Applicants' independent Claims 1, 10, and 15 are not anticipated by, and are allowable over Santiago et al. Moreover, as dependent claims from an allowable independent claim, Claims 2-9, 11-14, and 16-20 are, by definition, also allowable.

Art Made of Record


The Examiner cited U.S. Patent No. 4,145,394 to Abthoff et al. as showing the state of the Art. While it is noted that the Examiner did not rely upon this reference in making the above rejections, Applicants respectfully submit that the instant claims are not anticipated by or obvious over Abthoff et al.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By   
Joel T. Charlton  
Registration No. 52,721

Date: July 30, 2004  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115